

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**MARIA ALEJANDRA CELIMEN SAVINO
and JULIO CESAR MEDEIROS NEVES,**

Petitioners-Plaintiffs,

V.

THOMAS HODGSON, et al.,

Respondents-Defendants.

20-cv-10617 WGY

MOTION TO RECONSIDER

Respondents-Defendants hereby respectfully request that the Court reconsider and reverse its decision to release on conditions civil immigration detainee JERVIS VERNON.

As grounds herefor, Defendants state the Vernon has a significant history of violent crime. Vernon is a 28 year old citizen and native of Jamaica currently in removal proceedings and detained at Bristol County. He was admitted to the United States on a B2 visitor visa on March 30, 2014, with authorization to remain until September 29, 2014. On October 3, 2018, the Department of State revoked his B2 visa after discovering he had failed to disclose his criminal history outside of the United States. Vernon has been convicted in the United Kingdom for **rape, robbery, assault causing serious bodily harm, and handling stolen goods**. He was deported from the United Kingdom to Jamaica on July 12, 2006. During his arrest by ERO in Boston he admitted to his prior convictions and deportation from the United Kingdom.

The Court's stated goal is to reduce the density of the civil detainee population at Bristol County House of Corrections while still protecting the public from dangerous detainees.

Defendants submit that Vernon has shown a propensity for seriously violent crime such that his

release will pose a definite and immediate risk to the community. Defendants suggest that the Court release instead another detainee so as to continue progress towards reducing the detainee population density. Defendants suggest the release instead of: Hugo Candelario-Echegoyen. Mr. Candelario-Echegoyen has hypertension and/or cardiovascular disease, and his history of violations includes drunk driving charges only.

Defendants believe that this substitution would advance both the Court's stated goals of reducing the risk of a COVID-19 outbreak at the facility while increasing the protection for the community.¹

Respectfully submitted,

ANDREW E. LELLING,
United States Attorney

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April 6, 2020

¹ This proposal was discussed with Plaintiffs' counsel who indicated they would not agree. Based on other statements by counsel, it is possible that this is because counsel believes it is inappropriate to be choosing which class member benefits from release at this time.

CERTIFICATE OF SERVICE AND CONSULTATION

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF). I further certify that I have discussed the issue presented herein with Plaintiffs' counsel.

/s/ Thomas E. Kanwit

Thomas E. Kanwit

Dated: April 6, 2020